

## Report of the Chief Executive

APPLICATION NUMBER:	22/00166/FUL
LOCATION:	Oban House, 8 Chilwell Road, Beeston, NG9 1EJ
PROPOSAL:	Demolition of the existing property known as Oban House and the construction of a Medical Centre incorporating a pharmacy and associated car parking, highway and landscaping works

1.1 Purpose of Report

The application is brought to the Committee at the request of Councillor J C Patrick, due to the high level of interest that the proposal has generated.

1.2 Recommendation

**The Committee is asked to resolve that planning permission be granted subject to conditions outlined in the appendix.**

1.3 Detail

1.3.1 The application seeks planning permission to demolish Oban House, to facilitate the construction of a detached building for the use as a medical centre, incorporating a pharmacy, along with associated parking, highway and landscape works.

1.3.2 The site contains a three storey Victorian building which was originally a house but was last in use as offices. The site is located within the St John's Grove Conservation Area and is also a Local Interest Building. The site is also directly adjacent to West End Conservation Area, which is to the south east.

1.3.3 The main issues relate to whether the loss of the building and associated landscaping would result in harm to the character and appearance of the conservation area; whether the replacement building would make a positive contribution to the character and appearance of the conservation area, and if not, would the public benefit outweigh any harm; whether the building is acceptable in terms of design and layout; whether the development would have an impact on highway safety; whether the development would result in harm to biodiversity; and whether there would be an acceptable impact on neighbouring amenity.

1.3.4 The benefit of the proposal is that it would provide a health and community use to address local shortfall. The negatives are the loss of a heritage asset and the impact of that loss on the character and appearance of the St Johns Grove Conservation Area and the wider surrounds.

1.4 Financial Implications

There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within

existing budgets. Any separate financial issues associated with Section 106s (S106), or similar legal documents, are covered elsewhere in the report.

1.5 Legal Implications

The comments from the Head of Legal Services were as follows:

The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

1.6 Data Protection Compliance Implications

Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

1.7 Background papers

- Preliminary Environmental Risk Assessment
- Design and Access Statement
- Drainage Strategy
- Transport Statement
- Arboricultural Report
- Preliminary Ecological Appraisal Report.

## APPENDIX

2. Details of the application

- 2.1 Oban House would be demolished. The proposed development would consist of a substantial three storey detached building (third floor accommodation being to the roof space) which would be sited to the south west of the plot, built close to the front boundary. Car parking would be provided toward the rear of the site, to the north west boundary, accessed from Chilwell Road and utilising the existing access. A bin store and a substation would be positioned within the parking area, to the south east boundary where it adjoins the rear of 8a and 8b Chilwell Road (offices). A cycle store and parking area would be to the front of the proposed building.
- 2.2 The proposed building as originally submitted would have a large gable feature to the front elevation, having a steep roof with vertical brick columns interspersed with glazing, framed with dark grey aluminium, to the first and second floors. The ground floor level would also see the brick columns continue but would have shop windows. Either side of the main front feature, there would be brick wings, extending upward to the first floor. Beyond this, and to each side elevation, would be a three storey brick section which would provide (internally) space for staircases serving all floors. Dormers would also be within the roof slope to each side elevation. These would be finished in dark zinc cladding. The roof itself would be finished in Rosemary Clay tiles.
- 2.3 The design and appearance of the proposed building have been amended, following concerns in respect of the original design. The inset gable feature to the front elevation facing Chilwell Road has been omitted. This is shown to be replaced by a traditional gable frontage, with a series of traditionally proportioned windows to all three floors. A door to the front would utilise the original arch over from Oban House. The overall height has been reduced so as to reflect that of numbers 10 and 12, to the west. The building would have a more traditional appearance, being of brick to the elevations, stone sills and lintels over the windows, and a tiled roof.
- 2.4 Internally, the accommodation to the ground floor would include a pharmacy, accessed from the north east elevation, ancillary health space, accessed from the front elevation, reception, waiting rooms, consulting rooms and offices for the surgery accessed from a separate entrance on the north east side elevation, to the first floor there would be additional consulting rooms, waiting area and ancillary health space, and to the second floor mainly providing office space and staff facilities. All three floors have stair and lift access.
- 2.5 The proposed centre would be a replacement for the Manor Surgery, located nearby on Middle Street, adjacent to the Crown public house and the vicarage, and south of St John's parish church. The existing surgery was opened in 1982 for a patient list size of 7,500 persons and has been extended to add a pharmacy, storage area and offices. In 2018, due to the closure of a nearby GP surgery and to the closing of a patient list at another nearby surgery, the list had expanded to 13,000 patients. The proposed replacement surgery would provide

facilities that could better accommodate the current patient list, and, as there are a number of housing developments either currently being constructed or have planning permission to be constructed within the Beeston area and immediate surrounds, the proposal aspires to be able to accommodate any future demand.

3. Site and surroundings

- 3.1 The building is a substantial two storey detached Victorian property (third floor accommodation within the roof) with bay windows to the frontage at ground floor and first, each side of the centrally located entrance. The building has a gable roof with feature dormer to the front. There are bay windows at ground and first floor to the north east (side) elevation as well as an external escape stair. There are two extensions to the rear, built adjacent to the south west boundary. There is a large hard surfaced area to the side and part rear. The building is now understood to be vacant, with the last use being as offices.
- 3.2 To the rear of the property and parking area is a large grassed garden area, which is enclosed by mature trees to all boundaries and also provide a separation from the parking area.
- 3.3 The property is located within and to the eastern edge of St Johns Grove Conservation Area, and is a Building of Local Interest.
- 3.4 Directly to the south of the property is Beeston West End Conservation Area. St John's Church, opposite the site, is a Grade II Listed Building, which is set within an open green area with mature trees and landscaping.
- 3.5 To the south west of the site are 10 and 12 Chilwell Road. These are a pair of two storey Victorian semis, which are also Buildings of Local Interest. The three properties were built together and formed one of the first phases of building in the St Johns Grove area, and as such are considered to have group value. These properties are in use as a children's day nursery (immediately adjacent) and a physiotherapist consultancy. To the south west of these is a two storey building, set back from the road and to the corner of Devonshire Avenue, which is in use as a solicitor's practice.
- 3.6 To the north east of the site is 6 Chilwell Road, a flat roof two storey building in use as offices. The site boundary wraps round to the rear of this property. Adjacent to that is a restaurant and then a public house. The public house wraps around to the rear of the restaurant and as such shares a common boundary to the site. Beyond these properties, to the north east, is Beeston Square and the character of the area then becomes more commercial in nature.
- 3.7 To the rear of 10 and 12 Chilwell Road there is a large dwelling which has recently been extended to the south east (4 Devonshire Avenue). The rear garden of this property forms the south west boundary to the rear garden of no. 8.

- 3.8 To the rear of the site, beyond the garden area, are three dwellings, 5, 7 and 9 Cavendish Place. These are two storey properties. 15 Foster Avenue, located to the rear of the pub, also shares part of the common boundary to the site.

4. Relevant Planning History

- 4.1 Aside from an application to retain gates and pillars and reinstatement of part of boundary wall, reference 07/00998/FUL, there has been no planning history for this site.

5. Relevant Policies and Guidance

5.1 Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:

- 5.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 6: Role of Town and Local Centres
- Policy 10: Design and Enhancing Local Identity
- Policy 11: Historic Environment
- Policy 12: Local Services and Healthy Lifestyles
- Policy 14: Managing Travel Demand
- Policy 17: Biodiversity

5.2 **Part 2 Local Plan 2019:**

- 5.2.1 The Council adopted the Part 2 Local Plan (P2LP) on 16 October 2019.

- Policy 10: Town Centre and District Centre Uses
- Policy 17: Place-making, Design and Amenity
- Policy 19: Pollution, Hazardous Substances and Ground Conditions
- Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets
- Policy 24: The Health and Wellbeing Impacts of Development
- Policy 26: Travel Plans
- Policy 31: Biodiversity Assets

5.3 **National Planning Policy Framework (NPPF) 2021:**

- Part 2 – Achieving sustainable development
- Part 4 - Decision-making
- Part 7 – Ensuring the vitality of town centres
- Part 12 – Achieving well-designed places
- Part 16 – Conserving and enhancing the historic environment

5.4 **Beeston St John's Grove Conservation Area Character Appraisal**

## 5.5 Beeston West End Conservation Area Character Appraisal

### 6. Consultations

- 6.1 **County Council Conservation Officer:** The supporting documents submitted as part of the proposed development does acknowledge that Oban House makes a very considerable contribution to the St John's Grove Conservation Area, however the Conservation Officer considers that there would be a lack of positive contribution made from the replacement building, in respect of the significance of the conservation area. The loss of Oban House damages the Victorian setting of the church (St John's) and the new building does not replicate that relationship. The proposal would cause harm to the setting of St John's which whilst may not be considered substantial in isolation, the precedent for replacing the late Victorian and Edwardian villas in the streetscape of Chilwell Road represents a 'substantial' level of harm to the church. The proposal also impacts on the West End Conservation Area, adjacent. The opening up of the vista following tram works of the board school, church and toward Chilwell Road has been a positive contribution to the Conservation Area (CA), and views from the Board School ends with a view of Oban House. The replacement building does not offer any Victorian connection and views of it would erode the recently improved views out of the CA, and damage the appreciation of its character. This effect constitutes harm (less than substantial). The impact of the development would result in harm to the appreciation and significance of designated heritage assets, and substantial harm on the appreciation of the significance of St John's Grove Conservation Area, the effects being severe and as such constitutes substantial harm to a heritage asset. **Comments on amended plans:** Considers that the amended design does not address the main heritage impact of the damage caused to the character of the conservation area arising from the demolition of Oban House. The design approach is considered to be a pastiche design to the detriment of the CA's and are worse than the original, with both designs failing to retain the historic and architectural contribution of Oban House.
- 6.2 **Council's Conservation Adviser:** Acknowledges that under ordinary circumstances an application for the demolition of such a positive building located in a Conservation Area would be strongly resisted, and a recommendation would be made to refuse the application at all costs, however, as the proposed replacement is to be a doctor's surgery, a much greater scrutiny of the balance between harm and public benefits must be exercised. A thorough assessment of the test for the siting of the new surgery should be carried out, to identify whether Oban House is the only viable location for a new surgery, based upon public transport, access, parking and proximity to the expanding population of Beeston. The building is far too architecturally significant as a stand-alone non-designated heritage asset (even without considering the impact on the conservation area) to support its demolition on the basis that it is the only possible location for a new doctor's surgery, if there are other more suitable alternatives. With regards to the character of the building and its context within the Beeston West End CA, the Conservation Adviser considers that it is considered to be one of the most positive buildings in the Conservation Area; it is recognised as such in the

Conservation Area Appraisal. Such large Victorian and Edwardian villas readily allow for the conversion to residential use; as they are mostly too large for single occupancy, they can be converted to HMO to provide for young professional residential or student accommodation. The building can be thermally upgraded and it will have a secure future. The Conservation Adviser does not accept the principle that this building has reached the end of its habitable use, and does not consider this to be an adequate replacement for the loss of Oban House. The location is sensitive, directly opposite the Grade II listed St John the Baptist Church. Oban House further provides a character defining feature to the boundary of the Conservation Area. The principle element of concern is the sheer mundanity of the new building. It would serve as a bland and wholly alien replacement of Oban House; the gesture of reinstating the moulded round arched doorway at the front would further compound the harm, by juxtaposing the quality and craftsmanship of the late Victorian architecture with the uninspiring details of the present. This would only serve as a reminder to the substantial loss of Oban House. It is accepted that the proposed replacement is to be a doctor's surgery and therefore economies of scale must be achieved to make the scheme viable, but if the authority is mindful to permit the demolition of Oban House, the Conservation Adviser would strongly recommend design changes to achieve a more contextual building that respects the site's history. The impact on the setting of the adjacent Grade II listed Church is also a point of consideration in this matter. Recommends refusal of the planning application for the demolition of Oban House, as it is a highly significant non-designated heritage asset and great effort should be taken to preserve its future. Recommends that an Article 4 Direction be placed on the building that would allow for the building to be returned to residential use.

- 6.3 **Beeston and District Civic Society:** Whilst the society supports Manor Surgery's quest for new, larger, premises, and also support Oban House as the location for their new leasehold, do not support the loss of Oban House, or the design of the replacement building. Would support the retention of the building following renovation, and extending to the rear, which would be more sustainable. Considers that the loss of Oban House results in significant harm and is a threat to the character of the conservation area (designated heritage asset); additionally, the design of the new building, which takes its reference from the Parish Church, being ecclesiastical rather than medical in design, competes unsuccessfully with the church. The new building would not result in a positive visual impact. A petition with 225 signatories, against the demolition of Oban House, was submitted as part of the objection. **Comments on amended plans:** Objection still stands – the demolition of Oban House, felling of mature trees and reduction in boundary wall would negatively contribute to the boundary treatment and character of St John's Grove and Beeston West End, and would negatively impact and damage the character, vista and setting of the Grade II listed church.
- 6.4 **Historic Buildings and Places:** (working name of the Ancient Monuments Society) object to the demolition of Oban House and loss of a contributory and non-designated heritage asset. Comments that aside from harm to the

conservation area, the proposed building is of such a scale and design that it would dominate this part of the conservation area and appears to embody most of the threats to the conservation area as identified in Section 5 of the St John's Grove CA Character Appraisal. Section 16 of the NPPF makes it clear that LPA's have a duty to protect and enhance all heritage assets, including those that are non-designated and within conservation areas. No comments received in respect of amended plans.

- 6.5 **Victorian Society:** Object to the loss of a non-designated heritage asset as the property, whilst not listed, is of high quality architecturally, which will be lost through demolition. Oban House strongly marks the corner of the St John's Grove CA and its demolition would cause a disproportionate amount of harm to the significance of the CA at one of its most vulnerable points. The area is predominately residential in character and the new surgery would clearly be a large commercial building and represents an intrusion of a mass, form and materiality into the area and would have no relation to any of the positive aspects listed in the CA appraisal. The design is not of high enough quality to mitigate in any way for the loss of the existing building. The society note that the setting of the church opposite has been opened up following the construction of the road and tram lines, and as a result the inter-visibility of the buildings has been increased, and their relationship strengthened. The loss of Oban House would weaken this junction of the two conservation areas considerably. No comments received in respect of amended plans.
- 6.6 **Nottinghamshire County Council as Highway Authority:** Whilst one space per professional member of staff would be required for this type of development, it is acknowledged that given the sites' sustainable location, close to frequent public transport services and to public car parks nearby, as well as the vicinity being controlled by Traffic Regulation Orders, the shortfall in parking would not be considered to compromise highway safety, although it may be an amenity issue for residents. The boundary treatment to the car park entrance could mask the view of a vehicle exiting the site, and increase likelihood of injury to pedestrians. An alternative means of enclosure needs to be considered. Would expect the submission of a Travel Plan, however, this can be secured by condition. **Comments on amended plans:** Satisfied with the proposed site plan in respect of the vehicular access. Further work required in respect of the Travel Plan.
- 6.7 **Nottinghamshire County Council Policy Team:** No objections.
- 6.8 **Nottinghamshire County Council as Lead Local Flood Authority:** No objections subject to a condition requiring a surface water drainage scheme to be submitted and approved prior to commencement.
- 6.9 **Council's Environmental Health Officer:** No objections subject to conditions in respect of submission and approval of details of a noise report relating to the proposed air source heat pump and any other external plant; restriction on hours of construction; submission and approval of a Construction / Demolition Method Statement; submission and approval of details to survey site contamination including remedial measures; and a note to applicant in respect



of burning of waste on site. **Comments on amended plans:** An acoustic report has been submitted. Recommend a condition to ensure that the development is carried out in strict accordance with the report and that a post completion noise assessment be carried out to demonstrate that the resultant noise level does not exceed that approved.

- 6.10 **Council's Tree Officer:** Five trees which are shown to be removed in order to facilitate the development appear to be good quality (category B). These trees appear to be healthy with few defects and whilst the amenity value could be considered low as they are to the rear of the building, they are visible and located in a conservation area. It would be regrettable to lose the trees, however, it would depend on how much a medical centre is needed in that location. No further comments on the amended scheme.
- 6.11 **Notts Wildlife Trust:** Details submitted are lacking in regard to impact assessment, site / proposal specific mitigation, and ecological enhancement recommendations. A further survey should be carried out prior to demolition as the survey submitted is now 14 months old, in order to review whether the building supports a bat roost. Also raise concerns in respect of the accuracy of the survey results. Satisfied with assessment in respect of reptiles and mammals, and where in relation to breeding birds, subject to a condition prohibiting vegetation clearance works during bird breeding season (March to September). Notwithstanding this, the survey does not consider the presence of Swifts, which generally favour older buildings of two storey or more for nesting. Recommend conditions in regard to ensuring hedgehogs and badgers passing through the site are protected by ensuring excavation holes are covered and pipework capped, and that any boundary treatment be provided with a small hole in order to allow for a continuous pathway through the site for foraging and sheltering. The Trust are also concerned that the development would result in negative impacts to biodiversity. They consider that the scheme submitted would result in a substantial amount of habitat of value to wildlife, including grassland, scrub and numerous trees, would be lost. The proposed development would need to be amended so as to provide a 10% minimum Biodiversity Net Gain. The soft landscaping proposed is heavily dominated by non-native species, and species not locally present or appropriate to the broad habitat type. New trees should comprise of a diverse range of native species or species known benefits to wildlife. **Comments on amended plans:** NWT welcome improvements to the planting scheme to include predominately native species. Not all trees have been included in the biodiversity net gain calculation which would need to be addressed. NWT would suggest a green roof in place of a green wall in order to achieve an increased biodiversity gain. No further surveys required in respect of bats and birds. Recommend details of a Landscape Ecology Management Plan (LEMP) be secured by condition.
- 6.12 **NHS Clinical Commissioning Group:** No Section 106 contribution required, as the proposal is not residential. The CCG is fully supportive of this new surgery building, having approved the practice's business case in August 2021.
- 6.13 **Nottingham Express Transit:** No works to commence until a Construction and Demolition Method Statement has been submitted and approved, in order to

ensure the safe and continued operation of the NET system. No traffic associated with the works to be permitted to wait/load/unload on the tram alignment. Wheel wash facilities must be provided on site. It is noted that the site plan includes proposals for a sliding gate as well as a barrier, at the entrance. Concerned that trams would be delayed by vehicles waiting to gain access into the site. The gates/barriers should remain open during operational hours of the facility. NET request that the developer liaise with them in respect of encouraging staff and visitors to use the tram. **Comments on amended plans:** Satisfied that the entrance barrier has been set back, and confirmation that the gates adjacent to the highway will remain open during operational hours. Recommendations in terms of conditions remain as previous comments.

6.14 **Cadent:** No objection subject to an informative being included in respect of gas apparatus in the vicinity which may be affected by the works.

6.15 **Written representations:** site notice was posted and a press notice published. 23 neighbouring properties were consulted and 136 responses were received. There were 6 letters of support, 3 letters of observations, 1 letter with no objections and 126 letters of objection. The grounds of objection can be summarised as follows:

- Loss of building which is a non-designated heritage asset in a conservation area. Consideration should be made to retaining the building and adapting or extending for the proposed use. This would be more environmentally friendly
- Oban House makes a significant contribution to the setting of the conservation area and surrounds
- The design of the proposed building would be out of character, fail to respect the setting and an incongruous addition, being church like in design, and of an unacceptable bulk, mass and height
- The demolition of Oban House would have an unacceptable impact on the children's day nursery adjacent
- Alternative locations should be considered outside of conservation area – this could include public land such as the car park on Albion Street which has been used during covid times as a testing centre
- The submitted street scene images are misleading as adjacent buildings are not accurately depicted in terms of scale and massing
- The design and scale of the new building would affect the setting of the church opposite, as it would appear awkward due to the church like appearance, and would also affect and erode the character of both conservation areas
- Little attention appears to have been given to environmental matters such as water harvesting, flooding, greenery or wildlife
- The area is already well served by GP practices and pharmacies
- The proposal would lead to a loss of 27 trees which would result in a negative impact on visual amenity particularly in regard to the setting of the conservation areas and to other heritage assets
- Loss of trees – impact on biodiversity including loss or reduction of green 'corridor' for mammals and other creatures

- Increase in vehicles using the site has the potential to result in conflict with the tram / buses and other users of the highway
- Loss of neighbour amenity in terms of loss of privacy, noise during demolition and construction, and noise / pollution as a result of vehicles using the car park to the rear, which is close to residential properties
- The Heritage Impact Assessment is poor and of the opinion that it wrongly concludes that the loss of Oban House / construction of new building would result in less than substantial harm to the designated and non-designated heritage assets
- Query as to whether there is an identified need / justification for such a large increase in floor area between the existing facility and the proposed
- Support need, but not at the expense of the loss of Oban House.

6.16 14 Letters of support, no objection and observations can be summarised as follows:

- There is a need for increased access to enlarged medical facility which is built to be fit for purpose
- The design fits in with the street scene
- Oban House is not fit for re-use and is currently underused
- Likes design and will be an asset to Beeston
- Design boxy, should re-use Oban House rather than demolish
- Support need, but not loss of Oban House
- No objection as already lost anything worth preserving in Beeston.

6.17 A further 30 responses were received following re-consultation on amended plans. 27 were objections, one in support and two with observations. Comments that have not previously been reported above can be summarised as follows:

- Objection – why is the Council giving away trees on one hand and allowing removal of mature trees on the other
- Objection – Impact on privacy to dwellings on Cavendish Place from windows to rear
- Objection – No room left for expansion, if the projection in 10 years' time surpasses projected capacity, could the centre cope or would it be in a similar situation
- Objection – only 25 parking spaces provided which would be taken up by doctors, staff and pharmacists. Where would elderly and disabled people park in cold or inclement weather
- Objection – The scale and design (as amended) fills most of the space in width and height, which is overbearing; attaching elements from the existing building doesn't retain the character; proportion of window to brick is completely changed; the brick would be out of keeping with the area
- Observation – the revised design is much better
- Observation – a new medical centre is more important. A shame that the more contemporary design has been lost – Beeston needs to be bolder and aspirational

- Support – In support but would like more information on boundary treatment to neighbouring property.

## 7. Assessment

### 7.1 Principle

7.1.1 The main issues relate to whether the loss of the building and associated landscaping would result in harm to the character and appearance of the conservation area; whether the replacement building would make a positive contribution to the character and appearance of the conservation area, and if not, would the public benefit outweigh any harm; whether the building is acceptable in terms of design and layout; whether the development would have an impact on highway safety; whether the development would result in harm to biodiversity; and whether there would be an acceptable impact on neighbouring amenity.

7.1.2 The site is located just outside the Beeston Town Centre boundary. The proposed use of the site for a medical centre would be acceptable in principle, given the location close to the town centre and to a well-served public transport hub, and providing opportunity for users to combine their trip with other facilities in the centre thereby satisfying Policy A: Presumption in favour of sustainable development of the ACS. Notwithstanding this, the site is also located within St Johns Conservation Area, is adjacent to West End Conservation Area, and is in close proximity to St Johns Parish Church, a Grade II listed building. As such, the acceptability of the principle of and need for the development would need to be weighed against any impact that the development would have on designated and non-designated heritage assets.

### 7.2 Impact on Designated and Non-designated Heritage Assets, including setting

7.2.1 The Nottinghamshire County Council Conservation Officer advised, on the original proposal, that he objects to the development on the grounds that the level of harm that would be caused to the significance of the designated heritage asset (conservation area) by the demolition of Oban House would not be 'less than substantial'; the overall impact of the development would be considered to fail to conserve the significance of the conservation area as the best surviving area of late 19<sup>th</sup> century development in Beeston. The proposal therefore would be considered as resulting in substantial harm to a designated heritage asset; the impact arising from the new development would cause harm to the setting of the church, which is a Grade II listed building. The level of harm, in itself, may not be considered substantial, however should the other buildings (10 and 12 Chilwell Road) be lost in the future, this would result in a substantial level of harm to St John's church; It is considered that the proposed building does not offer any Victorian connection, and views of it would therefore erode the views out of the conservation area and damage the appreciation of its character. The proposal constitutes less than substantial harm to the West End Conservation Area; and that Oban House makes the most significant contribution on the Chilwell Road streetscape to the setting of the church,

sharing a Victorian heritage and together clearly reflecting the 19<sup>th</sup> century expansion of Beeston.

- 7.2.2 In conclusion, the Nottinghamshire County Council Conservation Officer considers that overall and taking into account the above, the proposed development would cause harm to the appreciation and significance of designated heritage assets, and in the case of the impact of the significance of St John's Grove Conservation Area, the effects are severe and would constitute substantial harm to a designated heritage asset. The proposal would therefore be contrary to Local Plan policy, and to Paragraph 201, Section 16 of the NPPF, which requires Local Planning Authorities to refuse permission where a proposed development would lead to substantial harm to a designated heritage asset, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 7.2.3 On the amended plans and information, the Nottinghamshire County Council Conservation Officer considers that the amended design does not address the main heritage impact of the damage caused to the character of the conservation area arising from the demolition of Oban House. The design approach is considered to be a pastiche design to the detriment of the CA's and are worse than the original, with both designs failing to retain the historic and architectural contribution of Oban House.
- 7.2.4 The Council's Conservation Advisor, for the reasons given in paragraph 6.2, recommends refusal of the planning application unless it can be demonstrated that the public benefit of developing the site for use as a GP surgery outweighs the loss and impact on the designated and non-designated heritage assets.

### 7.3 Public Benefit of the Proposal

- 7.3.1 The need for a new surgery/medical facility has been identified as Manor Surgery, which the development proposes to replace, currently operates from a constrained site on Middle Street. The existing surgery is built close to three of its boundaries, and with a small parking area to the front. The constraints include the proximity to Grade II Listed Buildings (St John's Church, to the north, and The Crown Public House, to the east) and is also within the West End Conservation Area. As a result, expansion of the existing surgery would be limited in terms of providing additional floor space.
- 7.3.2 It is stated that the need for an enlarged medical facility is driven by the growth in patient numbers, largely as a result of residential development in and around Beeston. Additionally, the patient roll has increased as a result of a nearby practice closing. The patient list has grown from 10,300 in 2016 to 13,000 in 2018. It is stated that additional facilities will be required in order to meet the medical needs of the growing community of Beeston and that the existing site is inadequate to accommodate this and any future growth. To meet the need, it is stated that a minimum of three additional GPs, three nurses and associated supported staff would be required. It is an aspiration of the surgery to remain close to or within half a mile of the town centre.

7.3.3 Supporting information submitted outlines steps taken to deliver the relocation of the existing surgery. A review of available sites has been undertaken by the applicant which identifies the need for the site to be both in close proximity to Beeston centre; be able to accommodate a surgery with gross internal area of 885 square metres with the ability to expand as patient lists increase; accommodate a pharmacy of 100 square metres and capacity for 32 onsite parking spaces. The minimum site area would therefore need to be 0.2 hectares. A thorough search of the current availability of sites and properties was undertaken in the week of 4 July 2022, using all recognised marketing platforms such as Rightmove, Zoopla etc. and by contacting commercial and residential property agents within the Nottingham area. It is stated that as growth in demand for new and existing housing stock in and around Beeston, land in Beeston is at a premium. Whilst two sites of 0.07 and 0.06 hectares were identified, these were considered to fall short of the 0.2 hectares required and furthermore were located in predominately residential areas. A further site was identified on Nuart Road (The Quadrant building, authorised use as offices) but given its location on a cul-de-sac, would not meet locational requirements and the level of parking required for the new centre would not be satisfied. In addition, The Quadrant would have more space than required which would necessitate the need to lease out the additional floor space. There would need to be a restriction on the type of occupier they lease it to, for reasons of safety and security, which would be commercially unviable from the property owners' perspective. In conclusion, the subject site at Oban House is the only currently available and deliverable site for the re-location of Manor Surgery available at the time of the review.

7.3.4 The applicant states that the public benefits of the scheme, providing an enlarged and improved medical facility, would outweigh any impacts on Designated and Non-designated Heritage Assets. It is considered that there is a public benefit to provide an enlarged and accessible medical health facility within Beeston town centre.

#### 7.4 Design, Scale and Layout

7.4.1 The design as originally submitted saw a detached two storey building with three floors of accommodation (third storey accommodated in the roof). The frontage of the building, having a tall gable with vertical glazed / brick elements, had the appearance of a place of worship and would be taller than the closest building, 10 Chilwell Road, to the south west of the site and which the building would be seen in the context of. It was considered that the design and scale of the building would have failed to respect the character and appearance of the area, and would have unsuccessfully competed with the character and appearance of the parish church opposite.

7.4.2 The amended plans and elevations now show a building that is lower in height, therefore of a more domestic scale, and with a more modest gable to the front with window positions and fenestration of a traditional pattern so as to reflect the predominately residential character of the area. The design and scale are considered to be acceptable subject to details of materials.

7.4.3 In respect of the layout, the proposed scheme is considered acceptable as it allows for the building to have a street presence, being built to the same position as the building it would replace, and utilises the same access. By the nature of the facility, car parking needs to be accommodated and whilst this would result in the loss of the garden area to the rear of the site, it would be impractical to accommodate elsewhere in the site. The main entrance into the building would be from the north west side elevation, as this would allow for level access for all users. Bin storage would be accommodated in an enclosed area within the car park. Bicycle stands would be provided both to the front of the building and close to the main entrance on the side for both staff and visitors.

## 7.5 Highway Safety

7.5.1 The Highways Authority have no objections to the development, as it is acknowledged that despite the shortfall in parking spaces for staff use, the site is in a highly sustainable location close to frequent public transport services and to public car parks nearby. In respect of the access, a sliding gate is proposed which would remain open during operational hours. A Travel Plan has been submitted, however as this is not considered satisfactory, the details would be secured by condition. In conclusion, it is considered that the development would not have a significant impact on Highway Safety or result in increased demand locally for on street parking, given the immediate vicinity being controlled by Traffic Regulation Orders.

## 7.6 Amenity

7.6.1 The buildings to the north east and south west are in commercial use (6 Chilwell Road is an office, and 10 Chilwell Road is a children's day nursery) and as such it is considered that the proposed building would not have a significant impact in terms of amenity.

7.6.2 4 Devonshire Avenue is the closest residential property to the site and is located to the west of the site. This is a detached two storey dwelling which has been extended to its south east elevation by two storeys, and has a detached two storey outbuilding to the south east corner adjacent to the common boundary. It is the latter detached building that the proposed development would be adjacent to. This building has no openings on the side elevation facing the site and as such the proposed building would have no significant impact on this element. The main dwelling and side extension is within 9m of the common boundary. The proposed building would be offset from the boundary by a minimum of 1m. Whilst this relationship is close, it is considered that due to the substantial size of no. 4, where access to light and outlook is achievable from other aspects of the property, the proposed development would not have a significant impact in terms of loss of light or outlook. It is noted that there would be windows proposed in the side elevation of the new building, facing toward no. 4 and as such it would be reasonable for any windows to be obscurely glazed where they would directly face the rear elevation of the main dwelling, in order to safeguard privacy.

- 7.6.3 Residential properties to the north west and north east (15 and 17 Foster Avenue, and 5, 7 and 9 Cavendish Place) which share the common boundary with the site would be a minimum of 38m distant from the rearmost part of the proposed building and as such it is considered that the proposed building would not result in a loss of light, outlook or privacy to the occupiers of these properties.

## 7.7 Biodiversity and Trees

- 7.7.1 There are several trees within and to the rear of the site, mainly located to the common boundaries, and which enclose a grassed garden area, and there are several trees to the frontage of the site. Oban House itself is of age, and has outbuildings to the rear, all of which could be suitable to support protected species such as bats.
- 7.7.2 In respect of the trees to be removed, which would mainly be to the north east and south east boundaries and selective ones to the frontage, the Tree Officer states that whilst the loss of the trees, some of which are good quality, would be regrettable, it would depend on how much a medical centre is needed in this location. A soft landscaping scheme has been submitted and this indicates several replacement trees are proposed to be planted within the site. Soft landscaping would be proposed to the edges of the parking area. It is considered that the replacement trees and the additional landscaping would, for the most part, satisfactorily mitigate for the loss of those trees to be removed. The landscaping scheme is recommended to be secured by condition.
- 7.7.3 In respect of ecology on the site, including protected species, as the main building and outbuildings would have the potential to accommodate roosting bats, and the surrounding trees would potentially provide foraging habitat, a further survey should be carried out prior to the demolition of any building on the site in order to ensure there are no potential impacts on protected species (bats). This survey has now been carried out and as NWT are satisfied with the results, no further survey would be required.
- 7.7.4 Conditions in respect of protecting other fauna on site are recommended and will be secured by condition. The proposed development would need to provide a 10% minimum biodiversity net gain and as this has not been demonstrated during the lifetime of the application, a condition is recommended to secure details of how this would be achieved.

## 7.8 Noise and Pollution

- 7.8.1 The development would be sited close to residential and other sensitive uses (for example, the day nursery) and as such a condition requiring details of a noise report relating to both the Air Source Heat Pumps as proposed and to any other external plant to be installed would need to be secured. Following the receipt of a Noise Report, this is considered satisfactory by the Environmental Health Officer, however the measures identified would need to be installed and maintained as per the report. This would be secured by condition. A restriction in respect of hours of construction/demolition and details of a Construction/



Demolition Method Statement would need to be agreed and would be secured by condition.

7.8.2 The facility would generally be open during day time and evenings and as the site is adjacent to the Town Centre it is considered that, subject to the conditions outlined above, the development would not have a significant detrimental impact on the amenities of neighbours in terms of noise and disturbance, both during the period of demolition and construction, and once the facility is operating.

7.8.3 A condition to secure details of contamination including remedial measures is recommended.

#### 7.9 Sustainability (Energy)

7.9.1 The supporting documents state that the proposed building would be constructed to standards above those required by current Part L of the Building Regulations, and would comply with the energy requirements of the BREEAM 'Very Good' rating. The building design would follow the passive 'fabric first' principles, to initially reduce the primary energy demands of the building, which would include a high performance building fabric envelope with low thermal transmittance and low air permeability. Passive solar design principles would also be incorporated, maximising natural daylighting whilst limiting solar heat gains, and passive natural ventilation systems would be utilised.

7.9.2 A low carbon Air Source Heat Pump would be included which would provide space heating, matched by underfloor heating, to allow for lower heating flow fully exploiting the efficiency benefits of the ASHP, and avoiding use of natural gas / boilers.

7.9.3 It is noted that the energy efficiency of the existing building, given the age, would be unlikely to be able to achieve that of a modern building.

#### 7.10 Drainage

7.10.1 A Surface Water Drainage Strategy would need to be submitted and approved prior to the commencement of the development. This would be secured by condition.

#### 8. Conclusion

8.1 The proposed development would have no significant impact in terms of neighbour amenity and highway safety. The benefits of the proposal are that it would provide a replacement medical centre which would be capable of accommodating a larger number of patients in terms of both existing needs and as projected following increase in residential developments in the area; would ensure that the medical centre is accessible to all users and remain in a sustainable location; and would be accommodated in a purpose built building which would be constructed so as to meet BREEAM rating of 'very good'. This is afforded great weight. The negative impacts are the loss of a non-designated

heritage asset within and adjacent to conservation areas; impact on Grade II Listed Building and setting of the St Johns Grove Conservation Area; which are considered to constitute substantial harm. This element is afforded significant weight, but, due to the buildings status as a non-designated heritage asset, cannot be considered, in the view of the officer, to be more weight than the benefits. Impact in terms of Biodiversity and Ecology, and noise and pollution can be mitigated for by way of appropriately worded conditions.

- 8.2 On balance therefore, we are minded to weigh in favour for the application. Therefore it is recommended that conditional planning permission be granted subject to the S106 Agreement.

<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</b>	
<b>1.</b>	<p><b>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</b></p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
<b>2.</b>	<p><b>The development hereby permitted shall be carried out in accordance with the drawings received by the Local Planning Authority on 04.08.22:</b></p> <ul style="list-style-type: none"> <li>• 0002-P01</li> <li>• 0003-P01</li> <li>• 0004-P03</li> <li>• 0005-P03</li> <li>• 0007-P03</li> <li>• 0008-P02</li> <li>• 0009-P03</li> <li>• 0010-P01</li> <li>• 0011-P01</li> <li>• 0012-P02</li> <li>• N0765(08)001C</li> <li>• N0765(90)001B</li> <li>• N0765(96)001A</li> </ul> <p><i>Reason: For the avoidance of doubt.</i></p>
<b>3.</b>	<p><b>The development hereby permitted shall not commence until details of a Construction Method Statement have been submitted to and approved in writing by the Local Planning Authority. Particular attention should be paid to the presence of overhead</b></p>

	<p>electricity cables and poles supporting them, located outside the front of the site. No demolition or construction traffic will be permitted to wait / load / unload on the tram alignment. The works shall thereafter be carried out strictly in accordance with the approved details. The statement shall include:</p> <ul style="list-style-type: none"> <li>a) The means of access for construction traffic;</li> <li>b) Parking provision for site operatives and visitors;</li> <li>c) The loading and unloading of plant and materials;</li> <li>d) The storage of plant and materials used in construction / demolition of the development;</li> <li>e) A scheme for the recycling / disposal of waste resulting from construction / demolition;</li> <li>f) Details of dust and noise suppression to be used during the construction phase, and details of measures to prevent debris being deposited on the public highway / tram tracks; and</li> <li>g) The identification, isolation and removal of any asbestos containing materials.</li> </ul> <p><i>Reason: In the interests of the amenities of nearby residents and in the interests of highway safety, in accordance with the aims of Policies 17 and 19 of the Broxtowe Part 2 Local Plan (2019), and Policy 10 of the Broxtowe Aligned Core Strategy (2014).</i></p>
4.	<p>The development hereby permitted shall not commence until details of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development. The scheme to be submitted shall:</p> <ul style="list-style-type: none"> <li>• Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA</li> <li>• Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.</li> <li>• For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.</li> <li>• Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.</li> </ul>

	<ul style="list-style-type: none"> <li>• Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development.</li> </ul> <p><i>Reason: To ensure the development does not increase the risk of flooding on the site or elsewhere, in accordance with Policy 1 of the Broxtowe Aligned Core Strategy (2014)</i></p>
5.	<p>The development hereby permitted shall not commence until details of a Landscape Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall seek to achieve a minimum 10% biodiversity net gain, and shall include a detailed / annotated landscape plan with information on tree / plant and seed mixes, as well as the specification, height, aspect of bird and bat boxes to ensure they are installed in suitable locations. Any hedgehog highways should also be mapped on plan.</p> <p>The development shall thereafter be carried out strictly in accordance with the approved details.</p> <p><i>Reason: In the interests of safeguarding and enhancing biodiversity in accordance with Policy 17 Of the Broxtowe Aligned Core Strategy (2014) and Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
6.	<p>(a) No part of the development hereby approved shall be commenced until an investigative survey of the site has been carried out and a report submitted to and approved in writing by the Local Planning Authority. The survey must have regard for any potential ground and water contamination, the potential for gas emissions and any associated risk to the public, buildings and/or the environment. The report shall include details of any necessary remedial measures to be taken to address any contamination or other identified problems.</p> <p>(b) No building to be erected pursuant to this permission shall be first occupied or brought into use until:</p> <p>i) all the necessary remedial measures have been completed in accordance with the approved details, unless an alternative has first been approved in writing by the Local Planning Authority; and</p> <p>ii) it has been certified to the satisfaction of the Local Planning Authority that the necessary remedial measures have been implemented in full and that they have rendered the site free from risk to human health from the contaminants identified, unless an</p>

	<p>alternative has first been approved in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of public health and safety and in accordance with Policy 19 of the Broxtowe Part 2 Local Plan (2019)</i></p>
7.	<p>The development hereby permitted shall not commence until details of measures to protect retained trees during demolition and construction have been submitted to and approved in writing by the Local Planning Authority. The tree protection measures shall be carried out in accordance with the approved details.</p> <p><i>Reason: To ensure the retained trees are not adversely affected and in accordance with the aims of Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
8.	<p>No above ground works shall be commenced until samples of all external materials including bricks, tiles, external finishes, windows and doors have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p><i>Reason: Limited details were submitted and to ensure the development presents a satisfactory standard of external appearance, in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
9.	<p>No above ground works shall be commenced until details of a landscaping scheme have been submitted to and approved by the Local Planning Authority. This scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>(a) proposed boundary treatments which should include measures for hedgehog / small mammal access</li> <li>(b) samples of proposed hard surfacing treatment</li> <li>(c) proposed lighting details</li> </ul> <p>The approved scheme shall be carried out strictly in accordance with the agreed details.</p> <p><i>Reason: Limited details were submitted and to ensure that the details are satisfactory in the interests of the appearance of the area and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
10.	<p>No above ground works shall be commenced until details of a detailed Travel Plan have been submitted to and approved in</p>

	<p>writing by the Local Planning Authority. The Plan shall thereafter be implemented prior to first use of the building.</p> <p><i>Reason: In the interests of promoting sustainable modes of travel in the interests of highway safety and neighbour amenity, in accordance with Policy 26 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
11.	<p>Prior to the occupation of any part of the building hereby permitted, the approved noise mitigation measures shall have first been installed and a further noise assessment report demonstrating that the resultant noise level does not exceed the levels specified in the approved acoustic assessment shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be retained thereafter for the lifetime of the development.</p> <p><i>Reason: In the interests of the amenities of the future occupiers and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
12.	<p>Prior to first use of the building hereby permitted, the bin collection points, cycle stands, parking spaces and turning areas shall have first been provided and shall be retained thereafter for the lifetime of the development.</p> <p><i>Reason: In the interests of the appearance of the area and to ensure highway safety in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
13.	<p>The approved landscaping shall be carried out not later than the first planting season following the substantial completion of the development or occupation of the building, whichever is the sooner and any trees or plants which, within a period of 5 years, die, are removed or have become seriously damaged or diseased shall be replaced in the next planting season with ones of similar size and species to the satisfaction of the Local Planning Authority, unless written consent has been obtained from the Local Planning Authority for a variation.</p> <p><i>Reason: To ensure the development presents a more pleasant appearance in the locality and in accordance with Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
14.	<p>No construction or site preparation work in association with this permission shall be undertaken outside the hours of 08.00 to 18.00</p>

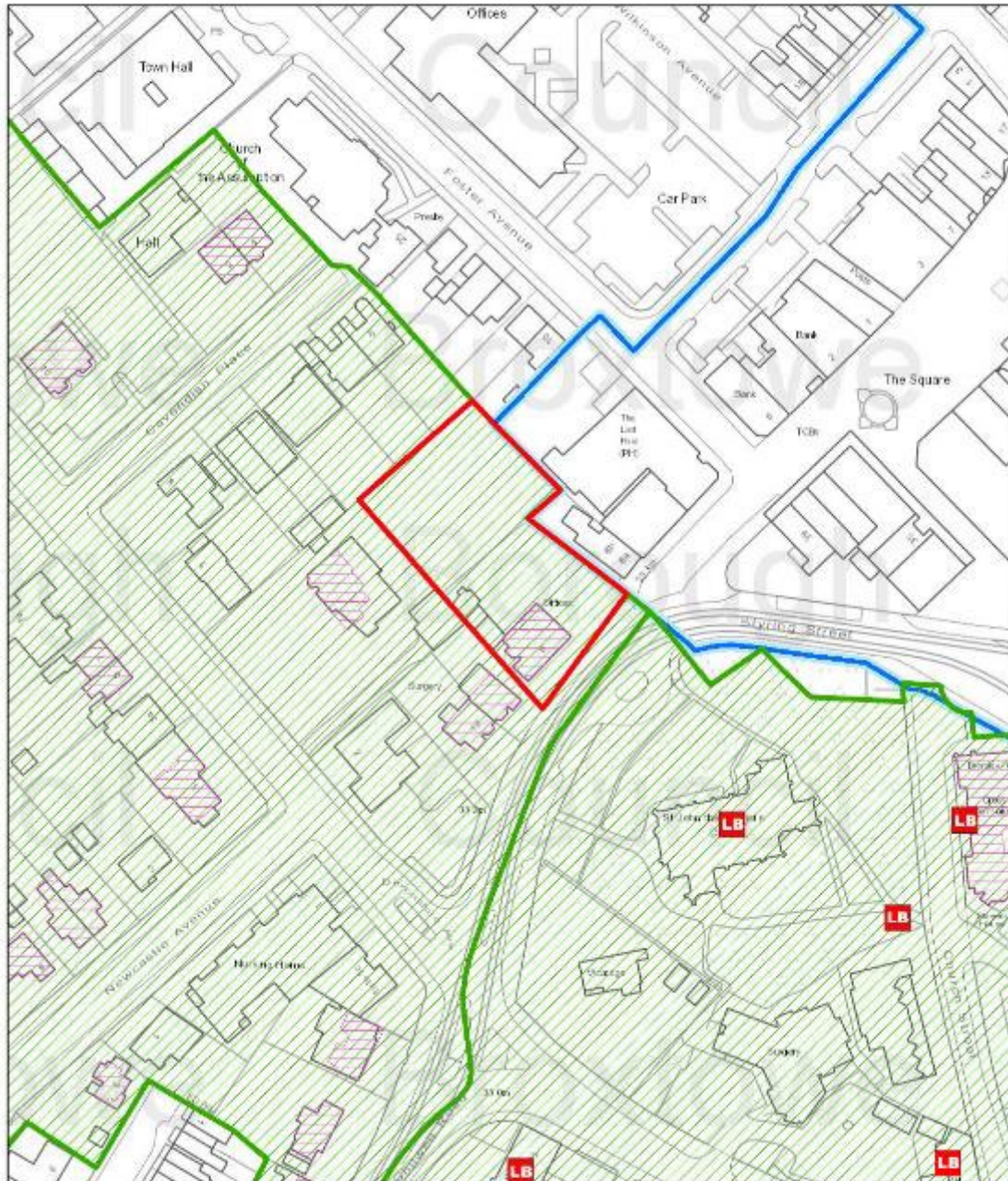
	<p>Monday to Friday, 08.00 to 13.00 Saturday and at no time on Sundays or Bank / public holidays.</p> <p><i>Reason: In the interests of the amenities of nearby residents and in accordance with the aims of Policy 19 of the Broxtowe Part 2 Local Plan (2019).</i></p>
15.	<p>All excavations shall be covered overnight or otherwise have an escape ramp to prevent entrapment of badgers, hedgehogs and other wildlife. All pipe work greater than 150mm should be capped off at the end of the day and chemicals should be stored securely.</p> <p><i>Reason: In the interests of safeguarding wildlife in accordance with Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>
16.	<p>The windows on the first floor and second floor side (South West) elevation shall be obscurely glazed to Pilkington Level 4 or 5 (or such equivalent glazing which shall first have been agreed in writing by the Local Planning Authority) and non-opening unless the parts of the windows that can be opened are more than 1.7m above the floor of the room in which it is installed and retained in this form for the lifetime of the development.</p> <p><i>Reason: In the interests of privacy and amenity for nearby residents and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</i></p>
17.	<p>Vegetation clearance works shall not be carried out between the months of March to September.</p> <p><i>Reason: In the interests of safeguarding wildlife in accordance with Policy 31 of the Broxtowe Part 2 Local Plan (2019).</i></p>

	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	As this permission relates to the creation of new units, please contact the Council's Street Naming and Numbering team: <a href="mailto:3015snn@broxtowe.gov.uk">3015snn@broxtowe.gov.uk</a> to ensure addresses are created. This can take several weeks and it is advised to make contact as soon as possible after the development commences. A copy of the decision notice, elevations, internal plans and a block plan are required. For larger sites, a detailed site plan of the whole development will also be required.
3.	Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.
4.	The Lead Local Flooding Authority (LLFA) ask to be re-consulted with any changes to the submitted and approved details of any FRA or Drainage Strategy which has been provided. Any deviation from the principles agreed in the approved documents may lead to us objecting to the discharge of conditions. The LLFA will provide bespoke comments within 21 days of receiving a formal consultation on any amendments.



Site Plan

Oban House, 8 Chilwell Road, Beeston NG9 1EJ



8/3/2022, 3:10:44 PM

-  Local Interest Building
-  Conservation Area
-  Listed Building
-  Site
-  Town Centre Boundaries

1:1,250  
0 0.01 0.02 0.03 0.04 m  
0 0.01 0.03 0.05 km

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Photographs



View from Styring Street



Side elevation facing access



Rear elevation



Rear garden, showing trees to the boundaries



Rear of 4 Devonshire Avenue, to the west of the site



8a / 8b Chilwell Road, with Last Post to left, behind, north east of the site



Front elevation – view from Styring Street



St John the Baptist Church, to the south east of the site

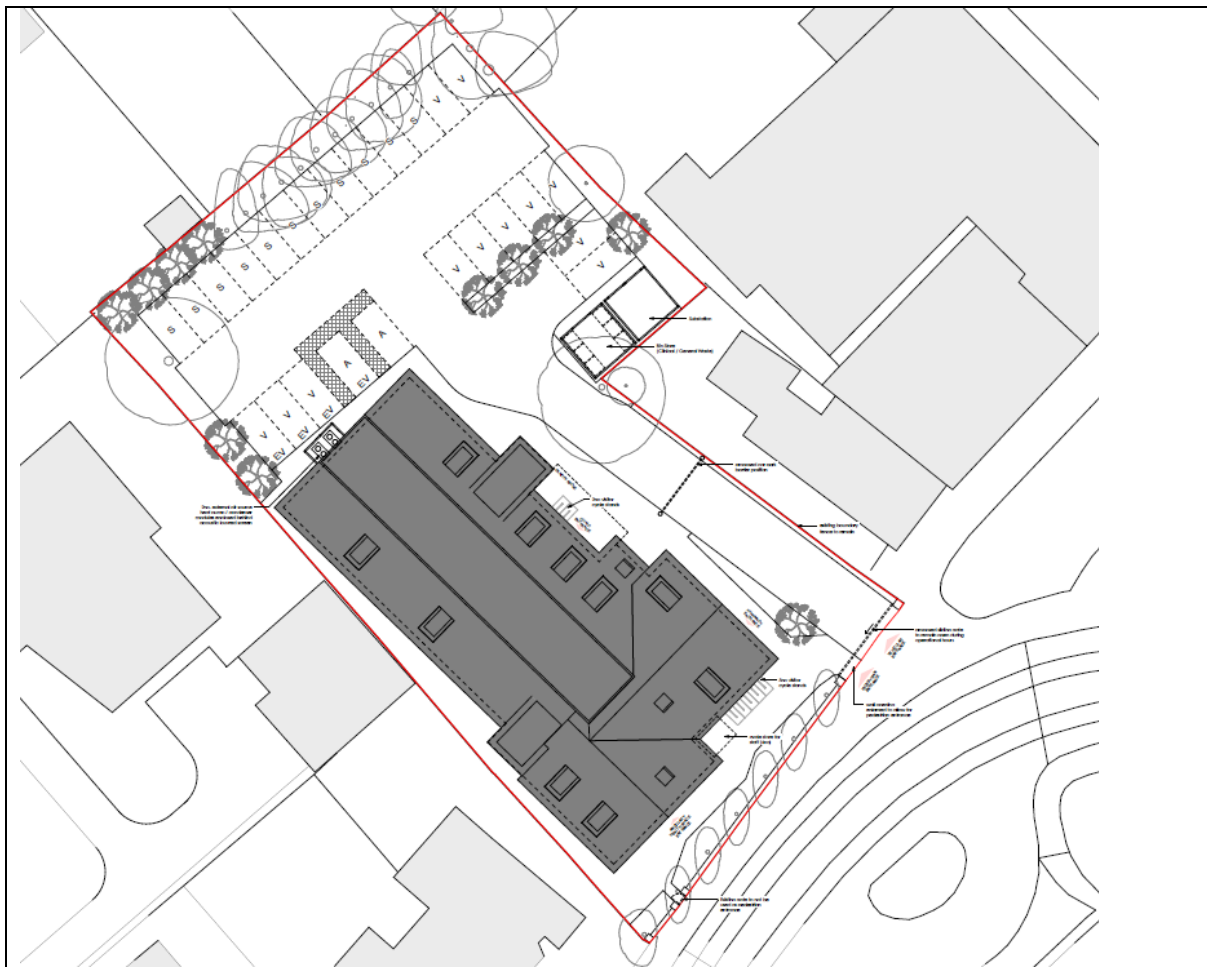


Front elevation – view from church grounds



12, 10 and 8 Chilwell Road respectively

**Plans (not to scale)**



**Proposed Site Plan**



**Proposed Front Elevation**





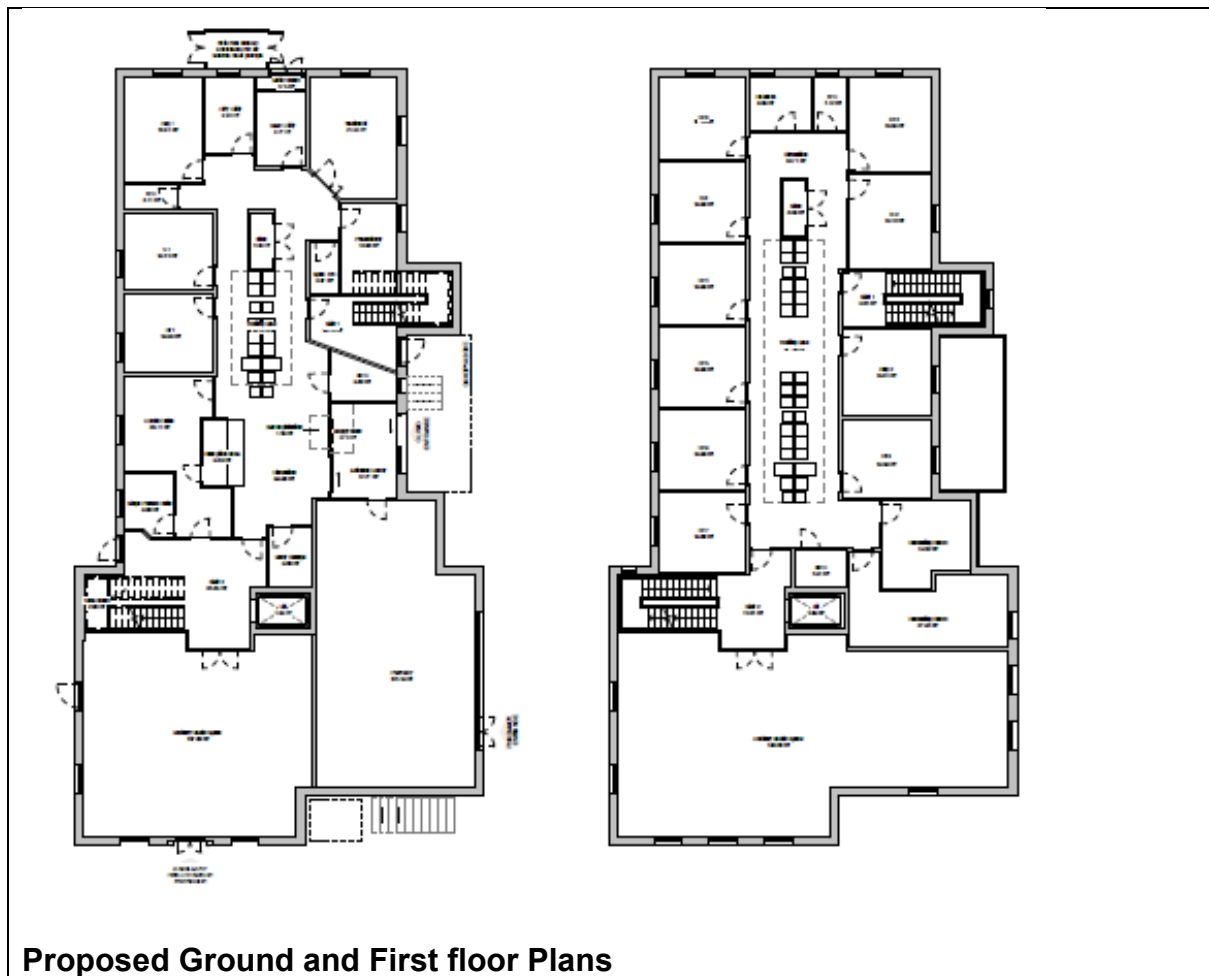
**Proposed Rear Elevation**

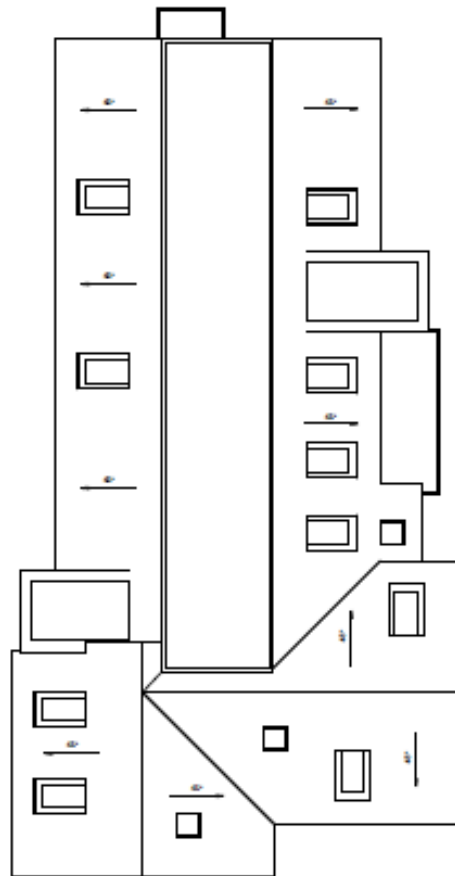
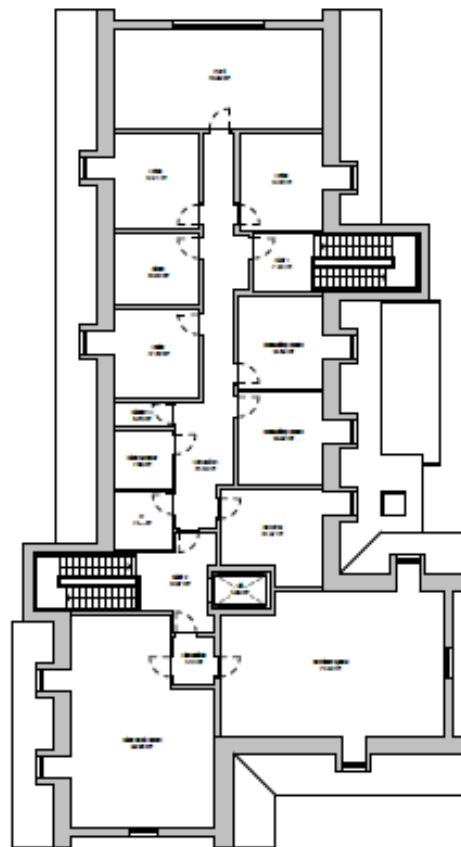


**Proposed Side (north east) Elevation – Main entrance**



**Proposed Side (south west) Elevation**





**Proposed Second Floor and Roof Plan**